

**EAST COVENTRY TOWNSHIP
BOARD OF SUPERVISORS
CHESTER COUNTY, PENNSYLVANIA**

ORDINANCE NO. 2015-205

**“MISCELLANEOUS STREETS AND SIDEWALKS, SUBDIVISION AND
LAND DEVELOPMENT, AND ZONING ORDINANCE AMENDMENTS”**

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE TOWNSHIP OF EAST COVENTRY, CHESTER COUNTY, PENNSYLVANIA, TO AMEND CHAPTER 21 (STREETS AND SIDEWALKS), PART 3 (STANDARD CONSTRUCTION AND MATERIAL SPECIFICATIONS FOR PUBLIC IMPROVEMENTS), EXHIBIT 21-3-A (STANDARD CONSTRUCTION AND MATERIAL SPECIFICATIONS FOR PUBLIC IMPROVEMENTS), SECTION 6 (BICYCLE AND MULTI-PURPOSE PATHS), TO DELETE SUBSECTION 6.1 (MATERIALS); TO AMEND CHAPTER 22 (SUBDIVISION AND LAND DEVELOPMENT), PART 2 (DEFINITIONS), SECTION 202 (DEFINITIONS) TO REVISE THE DEFINITIONS OF “LOT AREA, NET”, “RECREATION, ACTIVE”, “SLOPE”, “STEEP SLOPE”, “STEEP SLOPE, PRECAUTIONARY”, “STEEP SLOPE, PROHIBITIVE”, “STORMWATER MANAGEMENT BASIN EASEMENT” AND “STORMWATER MANAGEMENT ORDINANCES”; TO AMEND PART 3 (PLAN PROCESSING AND CONTENT), SECTION 304 (PRELIMINARY PLAN SUBMISSION, RESUBMISSION, REVIEW AND CONTENT), SUBSECTION 3 (CONTENT), PARAGRAPH E, SUBPARAGRAPH (19) TO ADD RECYCLING; TO AMEND PART 4 (DEVELOPMENT DESIGN STANDARDS), SECTION 426 (PARK, RECREATION AND OPEN SPACE), SUBSECTION 3 (PARK, RECREATION AND OPEN SPACE DESIGN STANDARDS), PARAGRAPH B TO CHANGE THE AVERAGE SLOPE MAXIMUM FROM THREE PERCENT (3%) TO FIVE PERCENT (5%); TO AMEND SECTION 427 (OUTDOOR LIGHTING REQUIREMENTS AND STANDARDS), SUBSECTION 4 (OUTDOOR LIGHTING DESIGN STANDARDS AND ILLUMINATION STANDARDS), PARAGRAPH B TO CHANGE 0.4 MINIMUM FOOTCANDLES TO 0.4 AVERAGE FOOTCANDLES FOR LOCAL RESIDENTIAL STREETS AND PARAGRAPH E TO ELIMINATE STANDARDS NOT MEETING IESNA “FULL CUTOFF” CRITERIA; AND TO AMEND SUBSECTION 5 (CONTROL OF NUISANCE GLARE AND DISABLING GLARE), PARAGRAPH G TO ELIMINATE STANDARDS NOT MEETING IESNA “FULL CUTOFF” CRITERIA; TO AMEND SECTION 429 (NATURAL AND HISTORIC RESOURCES PROTECTION), SUBSECTION 2 (TRAILS), PARAGRAPH D, SUBPARAGRAPH 2 (COMMUNITY

TRAIL), CLAUSE (C) TO MODIFY BASE AND COURSE SPECIFICATIONS AND CLAUSE (D) TO INCREASE THE MAXIMUM LONGITUDINAL SLOPE FROM FIVE PERCENT (5%) TO EIGHT PERCENT (8%); TO AMEND CHAPTER 27 (ZONING), PART 2 (DEFINITIONS), SECTION 202 (DEFINITIONS) TO DELETE THE DEFINITIONS FOR “MAJOR HOME OCCUPATION”, “MINOR HOME OCCUPATION” AND “OPEN SPACE, RECREATION AND ENVIRONMENTAL RESOURCES PLAN”, TO REVISE THE DEFINITIONS OF “BARN”, “DAY CARE CENTER”, “DWELLING TYPES”, “GARAGE”, “HOME OCCUPATION”, “LOT AREA, NET”, “PARKING LOT”, “RECREATION, ACTIVE”, “SLOPE”, “STEEP SLOPE”, “STEEP SLOPE, PRECAUTIONARY”, “STEEP SLOPE, PROHIBITIVE” AND “YARD, SIDE”, AND TO ADD DEFINITIONS FOR “DAY CARE HOME” AND “PARKS, RECREATION, AND OPEN SPACE PLAN”; TO AMEND CHAPTER 27 (ZONING), PART 7 (R-2 RESIDENTIAL DISTRICT), SECTION 704 (CLUSTERED SINGLE-FAMILY DETACHED RESIDENTIAL DEVELOPMENT STANDARDS), SUBSECTION B (DENSITY, AREA, BULK AND DIMENSIONAL STANDARDS) TO ADD A NEW PARAGRAPH (10) ON THE CALCULATION OF OPEN SPACE; TO AMEND PART 8 (R-3 RESIDENTIAL DISTRICT), SECTION 803 (AREA, BULK AND DIMENSIONAL STANDARDS), SUBSECTION 2 (TWO-FAMILY DETACHED, TWO-FAMILY SEMI-DETACHED, SINGLE-FAMILY SEMI-DETACHED, SINGLE-FAMILY ATTACHED, TWO-FAMILY ATTACHED AND GARDEN APARTMENT RESIDENTIAL USES), PARAGRAPH B (MINIMUM NET LOT AREA, LOT WIDTH AND YARDS) TO CHANGE THE REFERENCE FROM UNITS TO LOTS IN THE LOT DIMENSIONS TABLE; TO AMEND SECTION 804 (CLUSTERED SINGLE-FAMILY DETACHED RESIDENTIAL DEVELOPMENT STANDARDS), SUBSECTION B (OPEN SPACE, DENSITY, AREA, BULK AND DIMENSIONAL STANDARDS) TO ADD A NEW PARAGRAPH (10) ON THE CALCULATION OF OPEN SPACE; TO AMEND PART 9 (NC NEIGHBORHOOD COMMERCIAL DISTRICT AND C COMMERCIAL DISTRICT), SECTION 902 (USE REGULATIONS), SUBSECTION 1 (NC NEIGHBORHOOD COMMERCIAL DISTRICT USES PERMITTED BY RIGHT), PARAGRAPH C, AND SUBSECTION 2 (NC NEIGHBORHOOD COMMERCIAL DISTRICT CONDITIONAL USES), PARAGRAPH C TO PERMIT OUTDOOR FOOD AND BEVERAGES AS OF RIGHT IN THE NC NEIGHBORHOOD COMMERCIAL DISTRICT PROVIDED OUTDOOR SEATING DOES NOT EXCEED 25% OF TOTAL SEATING CAPACITY AND DOES NOT INVOLVE OUTDOOR COUNTER, CURB, OR DRIVE-THRU SERVICES, AND TO PERMIT OUTDOOR COUNTER, CURB AND DRIVE-THRU SERVICES IN THE NC NEIGHBORHOOD COMMERCIAL DISTRICT BY SPECIAL EXCEPTION; TO AMEND SUBSECTION 4 (C COMMERCIAL DISTRICT USES PERMITTED BY RIGHT) AND SUBSECTION 5 (C COMMERCIAL DISTRICT CONDITIONAL USES) TO ALLOW USES CURRENTLY REQUIRING

CONDITIONAL USE APPROVAL IN SUBSECTION 5 TO INSTEAD BE USES PERMITTED BY RIGHT UNDER SUBSECTION 4 AND TO ALLOW USES OF A SIMILAR TYPE AND CHARACTER AS A SPECIAL EXCEPTION; TO AMEND PART 13 (GENERAL AND SUPPLEMENTAL REGULATIONS AND DESIGN STANDARDS), SECTION 1306 (PARKING STANDARDS), SUBSECTION A (LOCATION), PARAGRAPH (2) TO ADD TWO-FAMILY ATTACHED DWELLINGS; TO AMEND AND RESTATE SECTION 1314 (SIGN REGULATIONS) SUBSECTION 19 (NONCONFORMING SIGNS) IN ITS ENTIRETY; TO AMEND SECTION 1315 (HOME OCCUPATIONS), SUBSECTION A (HOME OCCUPATION) TO ADD A NEW PARAGRAPH (15) TO EXCLUDE DAY CARE CENTERS; TO AMEND AND RESTATE SECTION 1325 (KEEPING OF DOMESTIC ANIMALS) TO REDUCE THE ACREAGE REQUIREMENTS AND INCREASE THE NUMBER OF ANIMALS THAT MAY BE KEPT ON A LOT; TO AMEND SECTION 1331 (STORAGE OF VEHICLES AND JUNK) TO PROHIBIT EXTERIOR STORAGE OF MORE THAN ONE VEHICLE AND ACCUMULATION OF JUNK IN ALL ZONING DISTRICTS; TO AMEND PART 14 (CONDITIONAL USE PROCESS), SECTION 1402 (ADDITIONAL REQUIREMENTS FOR SPECIFIED CONDITIONAL USES), SUBSECTION F (CONDITIONAL USE DEVELOPMENT PLAN) TO REQUIRE LANDSCAPE PLANS BE SUBMITTED WITH SOME CONDITIONAL USE APPLICATIONS; TO AMEND PART 15 (ZONING HEARING BOARD), SECTION 1506 (APPEALS AND APPLICATIONS TO THE ZONING HEARING BOARD), SUBSECTION B (APPLICATION FOR SPECIAL EXCEPTION OR VARIANCE), TO REQUIRE LANDSCAPE PLANS BE SUBMITTED WITH SOME APPLICATIONS; AND TO CORRECT VARIOUS NUMERICAL REFERENCES.

The Board of Supervisors of East Coventry Township does hereby **ENACT** and **ORDAIN**:

SECTION I. – Amendment to Code.

The Code of Ordinances of East Coventry Township, Chester County, Pennsylvania, Chapter 21 (Streets and Sidewalks), Part 3 (Standard Construction and Material Specifications for Public Improvements), Exhibit 21-3-A (Standard Construction and Material Specifications for Public Improvements), Table of Contents is hereby amended to delete the reference to : “6.1 Material 6-1” appearing on page ii in its entirety.

SECTION II. – Amendment to Code.

The Code of Ordinances of East Coventry Township, Chester County, Pennsylvania, Chapter 21 (Streets and Sidewalks), Part 3 (Standard Construction and Material Specifications for Public Improvements), Exhibit 21-3-A (Standard Construction and Material Specifications for Public Improvements), Section 6 (Bicycle and Multi-Purpose Paths) is hereby amended to delete Subsection 6.1 in its entirety and to add the following in its place: “This section intentionally left blank.”

SECTION III. – Amendment to Code.

The Code of Ordinances of East Coventry Township, Chester County, Pennsylvania, Chapter 22 (Subdivision and Land Development), Part 2 (Definitions), Section 202 (Definitions) is hereby amended to delete the existing definitions for “Recreation, Active”, “Steep Slope” and “Stormwater Management Basin Easement” in their entirety.

The Code of Ordinances of East Coventry Township, Chester County, Pennsylvania, Chapter 22 (Subdivision and Land Development), Part 2 (Definitions), Section 202 (Definitions) is hereby amended to add new definitions for “Recreation, Active”, “Steep Slope” and “Stormwater Management Basin Easement”, as follows:

RECREATION, ACTIVE – those recreational pursuits that require physical alteration to the area in which they are performed. Areas of land designed for active recreation are intensively used and satisfy the following criteria:

- A. The land has a slope of five percent (5%) or less determined by the ratio of the change in elevation (rise) over the horizontal distance (run) as measured between three (3) adjacent contour intervals of two (2) feet each, expressed as a percentage such that they delineate slope of five percent (5%) or less, and is suitable for active recreational uses without interfering with adjacent dwelling units, parking, driveways and roads; and
- B. The land does not constitute a “wetland” under Federal or State regulations; and
- C. The land is not included in, or made part of, stormwater management facilities, including detention/retention basins, swales, culverts and any associated

appurtenances thereto. The linkage of stormwater detention/retention basins with recreation facilities and open space is encouraged when the presence of such facilities does not conflict with proposed basin operations. Examples of active recreation area include, but are not limited to, playgrounds, ball courts and fields and swimming pools. Active recreation shall exclude amusement parks.

STEEP SLOPE – those areas of land in the Township that are characterized by a change in elevation of fifteen percent (15%) or greater (e.g., sloping fifteen (15) feet or more vertical over a distance of one hundred (100) feet horizontal). Slopes shall be deemed steep when there are three (3) adjacent contour intervals of two (2) feet each expressed as a percentage such that they delineate slope of at least fifteen percent (15%).

STORMWATER MANAGEMENT BASIN EASEMENT – All area associated with a Stormwater Management Basin, including easement area required by Section 174 of the Stormwater Management Ordinance [Chapter 9].

SECTION IV. – Amendment to Code.

The Code of Ordinances of East Coventry Township, Chester County, Pennsylvania, Chapter 22 (Subdivision and Land Development), Part 2 (Definitions), Section 202 (Definitions), Definition for “Lot Area, Net” is hereby amended to delete subsections D and E in their entirety and to add the following new subsections in their place:

D. All area associated with a Stormwater Management Basin, including easement area required by Section 174 of the Stormwater Management Ordinance [Chapter 9].

E. Any sanitary sewer easement area.

SECTION V. – Amendment to Code.

The Code of Ordinances of East Coventry Township, Chester County, Pennsylvania, Chapter 22 (Subdivision and Land Development), Part 2 (Definitions), Section 202 (Definitions), Definition for “Slope” is hereby amended to delete the last sentence of said definition and to add the following in its place: “See “steep slope” for the method of measuring steep slopes.”

SECTION VI. – Amendment to Code.

The Code of Ordinances of East Coventry Township, Chester County, Pennsylvania, Chapter 22 (Subdivision and Land Development), Part 2 (Definitions), Section 202 (Definitions),

Definition for “Steep Slope, Precautionary” is hereby amended to delete the phrase “, in the aggregate,” appearing in the second sentence of said definition.

SECTION VII. – Amendment to Code.

The Code of Ordinances of East Coventry Township, Chester County, Pennsylvania, Chapter 22 (Subdivision and Land Development), Part 2 (Definitions), Section 202 (Definitions), Definition for “Steep Slope, Prohibitive” is hereby amended to delete the phrase “, in the aggregate,” appearing in the second sentence of said definition.

SECTION VIII. – Amendment to Code.

The Code of Ordinances of East Coventry Township, Chester County, Pennsylvania, Chapter 22 (Subdivision and Land Development), Part 2 (Definitions), Section 202 (Definitions), Definition for “Stormwater Management Ordinances” is hereby amended to delete the date “October 6, 2000” and to add the date “December 9, 2013” in its place.

SECTION IX. – Amendment to Code.

The Code of Ordinances of East Coventry Township, Chester County, Pennsylvania, Chapter 22 (Subdivision and Land Development), Part 3 (Plan Processing and Content), Section 304 (Preliminary Plan Submission, Resubmission, Review and Content), Subsection 3 (Content), Paragraph E, Subparagraph (19) is hereby amended to add the words “and recycling” after the word “refuse” appearing in the second line of said subparagraph.

SECTION X. – Amendment to Code.

The Code of Ordinances of East Coventry Township, Chester County, Pennsylvania, Chapter 22 (Subdivision and Land Development), Part 4 (Development Design Standards), Section 426 (Park, Recreation and Open Space), Subsection 2 (Mandatory Dedication of Land for On-Site Park, Recreation and Open Space Use), Paragraph A, Subparagraph (1) is hereby amended to delete the duplicate reference to said subparagraph (1).

SECTION XI. – Amendment to Code.

The Code of Ordinances of East Coventry Township, Chester County, Pennsylvania, Chapter 22 (Subdivision and Land Development), Part 4 (Development Design Standards), Section 426 (Park, Recreation and Open Space), Subsection 3 (Park, Recreation and Open Space Design Standards), Paragraph B is hereby amended to delete the words “three percent (3%)” appearing in the last sentence of said paragraph and to add the words “five percent (5%)” in its place.

SECTION XII. – Amendment to Code.

The Code of Ordinances of East Coventry Township, Chester County, Pennsylvania, Chapter 22 (Subdivision and Land Development), Part 4 (Development Design Standards), Section 427 (Outdoor Lighting Requirements and Standards), Subsection 4 (Outdoor Lighting Design Standards and Illumination Standards), Paragraph B is hereby amended to delete the reference to “0.4 Min” for “Streets, Local Residential” appearing in the column for “Maintained Footcandles” of said paragraph and to add “0.4 Avg” in its place.

SECTION XIII. – Amendment to Code.

The Code of Ordinances of East Coventry Township, Chester County, Pennsylvania, Chapter 22 (Subdivision and Land Development), Part 4 (Development Design Standards), Section 427 (Outdoor Lighting Requirements and Standards), Subsection 4 (Outdoor Lighting Design Standards and Illumination Standards), is hereby amended to delete Paragraph E in its entirety and to renumber existing Paragraph F as Paragraph E.

SECTION XIV. – Amendment to Code.

The Code of Ordinances of East Coventry Township, Chester County, Pennsylvania, Chapter 22 (Subdivision and Land Development), Part 4 (Development Design Standards), Section 427 (Outdoor Lighting Requirements and Standards), Subsection 5 (Control of Nuisance

Glare and Disabling Glare), Paragraph G is hereby amended to delete the second sentence of such paragraph.

SECTION XV. – Amendment to Code.

The Code of Ordinances of East Coventry Township, Chester County, Pennsylvania, Chapter 22 (Subdivision and Land Development), Part 4 (Development Design Standards), Section 429 (Natural and Historic Resources Protection), Subsection 2 (Trails), Paragraph D, Subparagraph 2 (Community Trail), Clause (c) is hereby amended to delete such clause in its entirety and to add a new Clause (c) in its place, as follows:

(c) Tread design of four (4) inches AASHTO No. 57 (PennDOT 2B) compacted aggregate base with a 2-inch Superpave 25.0 mm binder course and a 1-inch Superpave 9.5 mm wearing course. Compaction of aggregate shall be to the satisfaction of the Township Engineer. All Superpave designs shall use PG-64.

SECTION XVI. – Amendment to Code.

The Code of Ordinances of East Coventry Township, Chester County, Pennsylvania, Chapter 22 (Subdivision and Land Development), Part 4 (Development Design Standards), Section 429 (Natural and Historic Resources Protection), Subsection 2 (Trails), Paragraph D, Subparagraph 2 (Community Trail), Clause (d) is hereby amended to delete such clause in its entirety and to add a new Clause (d) in its place, as follows:

(d) Trail shall have a maximum longitudinal slope of eight percent (8%) and shall have a cross section slope of three-eighths inch (3/8”) per foot incorporated as a crown or continuous slope from edge to edge of pavement.

SECTION XVII. – Amendment to Code.

The Code of Ordinances of East Coventry Township, Chester County, Pennsylvania, Chapter 27 (Zoning), Part 2 (Definitions), Section 202 (Definitions) is hereby amended to delete the existing definitions for “Barn”, “Garage”, “Home Occupation”, “Major Home Occupation”,

“Minor Home Occupation”, “Open Space, Recreation and Environmental Resources Plan”, “Parking Lot”, “Recreation, Active”, “Steep Slope” and “Yard, Side” in their entirety.

The Code of Ordinances of East Coventry Township, Chester County, Pennsylvania, Chapter 27 (Zoning), Part 2 (Definitions), Section 202 (Definitions), is hereby amended to add new definitions for “Barn”, “Day Care Home”, “Garage”, “Home Occupation”, “Parking Lot”, “Parks, Recreation, and Open Space Plan”, “Recreation, Active”, “Steep Slope” and “Yard, Side”, as follows:

BARN – a structure designed to store farm products and to shelter livestock and farm equipment.

DAY CARE HOME – a dwelling where day care services are provided for four (4), five (5) or six (6) children who are not related to the caregiver or owner of the property and who are fifteen (15) years of age or younger. Care shall be exercised on a daily basis only and shall not include overnight accommodation. Operation of a day care home shall be licensed by the Commonwealth of Pennsylvania.

GARAGE - an accessory building or part of a principal building, but excluding attached or integrated garages of a dwelling unit, used for the storage of motor vehicles, not exceeding a gross vehicle weight which would require for its operation a commercial driver’s license, and/or for the storage of materials and equipment owned and used by the owner or tenant of the premises.

HOME OCCUPATION - an activity conducted for profit or non-profit by persons residing on the premises that is clearly subordinate to the principal use of the property as a single-family detached dwelling, has little or no impact on the area in which it is located, and is defined by the following characteristics:

- (1) The occupation is conducted by the inhabitants of the dwelling.
- (2) The occupation does not involve customer or client visits to the dwelling and there is no direct sale of products.
- (3) There is no exterior indication including, but not limited to, signs, advertising or other display, that a home occupation is located on the premises.
- (4) Commercial delivery and pickup of goods and supplies is limited to no more than once a week, exclusive of normal postal and parcel service typically serving a residential area.
- (5) The floor area devoted to the occupation does not exceed twenty-five percent (25%) of the floor area of the dwelling or five hundred (500) square feet, whichever is less.

PARKING LOT – an off-street surfaced area designed solely for the parking of motor vehicles, including driveways and passageways servicing the parking lot and maneuvering space appurtenant thereto.

PARKS, RECREATION, AND OPEN SPACE PLAN – the Parks, Recreation, and Open Space Plan for the Federation of Northern Chester County Communities, adopted by the Township as an element of the East Coventry Township Comprehensive Plan on April 10, 2012 (Res. 2012-10), and any amendments or supplements thereto.

RECREATION, ACTIVE - those recreational pursuits that require physical alteration to the area in which they are performed. Areas of land designed for active recreation are intensively used and satisfy the following criteria:

A. The land has a slope of five percent (5%) or less determined by the ratio of the change in elevation (rise) over the horizontal distance (run) as measured between three (3) adjacent contour intervals of two (2) feet each, expressed as a percentage such that they delineate slope of five percent (5%) or less, and is suitable for active recreational uses without interfering with adjacent dwelling units, parking, driveways and roads.

B. The land does not constitute a “wetland” under Federal or State regulations.

C. The land is not included in, or made part of, stormwater management facilities, including detention/retention basins, swales, culverts and any associated appurtenances thereto. The linkage of stormwater detention/retention basins with recreation facilities and open space is encouraged when the presence of such facilities does not conflict with proposed basin operations. Examples of active recreation area include, but are not limited to, playgrounds, ball courts and fields and swimming pools. Active recreation shall exclude amusement parks.

STEEP SLOPE – those areas of land in the Township that are characterized by a change in elevation of fifteen percent (15%) or greater (e.g., sloping fifteen (15) feet or more vertical over a distance of one hundred (100) feet horizontal). Slopes shall be deemed steep when there are three (3) adjacent contour intervals of two (2) feet each expressed as a percentage such that they delineate slope of at least fifteen percent (15%).

SECTION XVIII. – Amendment to Code.

The Code of Ordinances of East Coventry Township, Chester County, Pennsylvania, Chapter 27 (Zoning), Part 2 (Definitions), Section 202 (Definitions), Definition for “Day Care Center” is hereby amended to delete the last sentence of said definition in its entirety.

SECTION XIX. – Amendment to Code.

The Code of Ordinances of East Coventry Township, Chester County, Pennsylvania, Chapter 27 (Zoning), Part 2 (Definitions), Section 202 (Definitions), Definition for “Dwelling Types” is hereby amended to delete the word “condominiums,” appearing in the fifth line of said definition.

SECTION XX. – Amendment to Code.

The Code of Ordinances of East Coventry Township, Chester County, Pennsylvania, Chapter 27 (Zoning), Part 2 (Definitions), Section 202 (Definitions), Definition for “Lot Area, Net” is hereby amended to delete subsections D and E in their entirety and to add the following new subsections in their place:

D. All area associated with a Stormwater Management Basin, including easement area required by Section 174 of the Stormwater Management Ordinance [Chapter 9].

E. Any sanitary sewer easement area.

SECTION XXI. – Amendment to Code.

The Code of Ordinances of East Coventry Township, Chester County, Pennsylvania, Chapter 27 (Zoning), Part 2 (Definitions), Section 202 (Definitions), Definition for “Slope” is hereby amended to delete the last sentence of said definition and to add the following in its place: “See “steep slope” for the method of measuring steep slopes.”

SECTION XXII. – Amendment to Code.

The Code of Ordinances of East Coventry Township, Chester County, Pennsylvania, Chapter 27 (Zoning), Part 2 (Definitions), Section 202 (Definitions), Definition for “Steep Slope, Precautionary” is hereby amended to delete the phrase “, in the aggregate,” appearing in the second sentence of said definition.

SECTION XXIII. – Amendment to Code.

The Code of Ordinances of East Coventry Township, Chester County, Pennsylvania, Chapter 27 (Zoning), Part 2 (Definitions), Section 202 (Definitions), Definition for “Steep Slope, Prohibitive” is hereby amended to delete the reference to “§302(2)(B)(1)(a)” appearing in the second line of said definition and to add “§303(2)(B)(1)(a)” in its place and is hereby further amended to delete the phrase “, in the aggregate,” appearing in the second sentence of said definition.

SECTION XXIV. – Amendment to Code.

The Code of Ordinances of East Coventry Township, Chester County, Pennsylvania, Chapter 27 (Zoning), Part 7 (R-2 Residential District), Section 704 (Clustered Single-Family Detached Residential Development Standards), Subsection B (Density, Area, Bulk and Dimensional Standards) is hereby amended to delete the existing title for said Subsection B and to add a new title for Subsection B in its place as follows: “Open Space, Density, Area, Bulk and Dimensional Standards.”

SECTION XXV. – Amendment to Code.

The Code of Ordinances of East Coventry Township, Chester County, Pennsylvania, Chapter 27 (Zoning), Part 7 (R-2 Residential District), Section 704 (Clustered Single-Family Detached Residential Development Standards), Subsection B (Open Space, Density, Area, Bulk and Dimensional Standards) is hereby amended to add a new Paragraph (10) as follows:

(10) Provided that 0.07 acres of land per proposed dwelling unit or building lot (whichever is greater) comprising the fifty percent (50%) of open space is suitable for active recreational use, as defined in this Chapter, and otherwise satisfies the criteria set forth in §426.3 of the Subdivision and Land Development Ordinance [Chapter 22], and further provided that the remainder of the fifty percent (50%) of open space satisfies all of the criteria set forth in said §416.3 with the exception of §426.3.B, then in that event the provisions of §426.2.B.1 of the Subdivision and Land Development Ordinance shall not apply.

SECTION XXVI. – Amendment to Code.

The Code of Ordinances of East Coventry Township, Chester County, Pennsylvania, Chapter 27 (Zoning), Part 8 (R-3 Residential District), Section 803 (Area, Bulk and Dimensional Standards), Subsection 2 (Two-Family Detached, Two-Family Semi-Detached, Single-Family Semi-Detached, Single-Family Attached, Two-Family Attached and Garden Apartment Residential Uses), Paragraph B (Minimum Net Lot Area, Lot Width and Yards) is hereby amended to delete the existing table contained in said paragraph and to add a new table in its place as follows:

	Minimum Net Lot Area	Minimum Lot Width	Minimum Front Yard	Minimum Side Yard	Minimum Rear Yard
Two-Family Detached (duplex units)	20,000 sq. ft.	100 ft.	40 ft.	20 ft.	40 ft.
Two-Family Semi-Detached	20,000 sq. ft. (per lot)	100 ft. (each lot)	40 ft.	20 ft.	40 ft.
Single-Family Semi-Detached (twin units)	10,000 sq. ft. (per lot)	80 ft. (each lot)	40 ft.	20 ft.	40 ft.
Single-Family Attached	3,500 sq. ft. (per interior lot)	26 ft. (each interior lot)	40 ft.		30 ft.
	6,200 sq. ft. (per end lot)	46 ft. (each end lot)	40 ft.	20 ft.	30 ft.
Two-Family Attached	4,100 sq. ft. (per interior lot)	30 ft.	40 ft.		30 ft.
	7,400 sq. ft. (per end lot)	54 ft. (each end lot)	40 ft.	20 ft.	30 ft.
Garden Apartment	5,000 sq. ft. (per lot)	144 ft. maximum (per structure)	40 ft.		30 ft. (exclusive of buffering)

SECTION XXVII. – Amendment to Code.

The Code of Ordinances of East Coventry Township, Chester County, Pennsylvania, Chapter 27 (Zoning), Part 8 (R-3 Residential District), Section 804 (Clustered Single-Family

Detached Residential Development Standards), Subsection B (Open Space, Density, Area, Bulk and Dimensional Standards), is hereby amended to add a new Paragraph (10) as follows:

(10) Provided that 0.07 acres of land per proposed dwelling unit or building lot (whichever is greater) comprising the thirty-five percent (35%) of open space is suitable for active recreational use, as defined in this Chapter, and otherwise satisfies the criteria set forth in §426.3 of the Subdivision and Land Development Ordinance [Chapter 22], and further provided that the remainder of the thirty-five percent (35%) of open space satisfies all of the criteria set forth in said §416.3 with the exception of §426.3.B, then in that event the provisions of §426.2.B.1 of the Subdivision and Land Development Ordinance shall not apply.

SECTION XXVIII. – Amendment to Code.

The Code of Ordinances of East Coventry Township, Chester County, Pennsylvania, Chapter 27 (Zoning), Part 9 (NC Neighborhood Commercial District and C Commercial District), Section 902 (Use Regulations), Subsection 1 (NC Neighborhood Commercial District Uses Permitted by Right), Paragraph C is hereby amended to delete said paragraph in its entirety and to add a new paragraph C in its place, as follows:

C. Restaurant, tea room, confectionery or other place serving food or beverages, provided that outdoor seating for the consumption of food or beverages on the premises shall not exceed twenty-five percent (25%) of the total seating capacity of the business establishment; and further provided that no outdoor counter service, curb service or drive-thru food services shall be permitted.

SECTION XXIX. – Amendment to Code.

The Code of Ordinances of East Coventry Township, Chester County, Pennsylvania, Chapter 27 (Zoning), Part 9 (NC Neighborhood Commercial District and C Commercial District), Section 902 (Use Regulations), Subsection 2 (NC Neighborhood Commercial District Conditional Uses), Paragraph C is hereby amended to delete said paragraph in its entirety and to add a new paragraph C in its place, as follows:

C. Restaurant, tea room, confectionery or other place serving food or beverages involving outdoor counter service, curb service or drive-thru food services or where outdoor seating for the consumption of food or beverages on the

premises exceeds twenty-five percent (25%) of the total seating capacity of the business establishment.

SECTION XXX. – Amendment to Code.

The Code of Ordinances of East Coventry Township, Chester County, Pennsylvania, Chapter 27 (Zoning), Part 9 (NC Neighborhood Commercial District and C Commercial District), Section 902 (Use Regulations), Subsection 4 (C Commercial District Uses Permitted by Right), is hereby amended to delete said subsection in its entirety and to add the following subsection in its place:

4. C Commercial District Uses Permitted by Right. A building or other structure may be erected or used and a lot may be used or occupied, by right, for any of the following purposes:

A. Any use permitted, by right, in the NC Neighborhood Commercial District.

B. Club, lodge, fraternal organization, health spa, place of worship, studio.

C. Passenger station for public transportation; utility substations; and public utility facility, including telephone central office.

D. Indoor theater, bowling lanes or other places of indoor recreation such as handball courts, racquetball courts, indoor tennis courts, indoor field hockey, health and fitness spas, and a facility such as a gymnasium. All other types of indoor recreation shall be permitted only as a special exception.

E. Automotive service and repairs; garages; sales agency for new automobiles including used car sales as an accessory use; used car lot without new car sales agency; automatic car wash facilities subject to the provision of a public water supply and the provision of water recycling facilities; and service station subject to the requirements of subsection (3)(A) herein.

F. Wholesale establishments, lumber yard, building and plumbing supplies, farm machinery sales, warehousing for indoor storage only, and trucking incidental to such uses; provided, however, that truck terminals and exterior storage of truck terminals and exterior storage of trucking vehicles or trailers shall not be permitted.

G. Newspaper printing, florist shop, greenhouse; convenience store.

H. Any general retail sales outlet, commercial use or personal service facility (except that adult book stores and adult only movie facilities, as defined in §202

under “adult-oriented use,” are prohibited); a shopping center with frontage on an arterial or major collector street.

I. Hotel or motel, including dining and general meeting room facilities; bed and breakfast.

J. Animal hospital without outside kennels; undertaking establishment; self-service or hand laundry or cleaning establishment.

K. Retail sale of landscape, hardscape and lawn materials, supplies and services; winter maintenance supplies and services including, but not limited to, snow removal services.

SECTION XXXI. – Amendment to Code.

The Code of Ordinances of East Coventry Township, Chester County, Pennsylvania, Chapter 27 (Zoning), Part 9 (NC Neighborhood Commercial District and C Commercial District), Section 902 (Use Regulations), Subsection 5 (C Commercial District Conditional Uses), is hereby amended to delete said subsection in its entirety and to add the following subsection in its place:

5. C Commercial District Conditional Uses. A building or other structure may be erected or used and a lot may be used or occupied when authorized as a conditional use for any of the following purposes:

A. Any use permitted as a conditional use in the NC Neighborhood Commercial District may also be permitted in the C Commercial District as a conditional use.

B. Any use of a similar type and character to the uses permitted by right in the C Commercial District may be permitted as a conditional use in the C Commercial District.

SECTION XXXII. – Amendment to Code.

The Code of Ordinances of East Coventry Township, Chester County, Pennsylvania, Chapter 27 (Zoning), Part 13 (General and Supplemental Regulations and Design Standards), Section 1306 (Parking Standards), Subsection A (Location), Paragraph (2) is hereby amended to add the words “and two-family attached dwellings” after the words “single-family attached dwellings” appearing in the third line of said paragraph.

SECTION XXXIII. – Amendment to Code.

The Code of Ordinances of East Coventry Township, Chester County, Pennsylvania, Chapter 27 (Zoning), Part 13 (General and Supplemental Regulations and Design Standards), Section 1314 (Sign Regulations), Subsection 14 (Signs in Residential Districts), Paragraph B (Signs for Residential Uses), Subparagraph (c) is hereby amended to renumber the existing text in said subparagraph as Subparagraph (3).

SECTION XXXIV. – Amendment to Code.

The Code of Ordinances of East Coventry Township, Chester County, Pennsylvania, Chapter 27 (Zoning), Part 13 (General and Supplemental Regulations and Design Standards), Section 1314 (Sign Regulations), Subsection 19 (Nonconforming Signs), is hereby amended to delete such subsection in its entirety and to add a new Subsection 19 in its place, as follows:

19. Nonconforming Signs.

A. All signs lawfully erected prior to the enactment of this Chapter or subsequent amendments, which are not in conformity with the provisions thereof, shall be deemed nonconforming signs as governed by Part 19 of this Chapter.

B. Any of the following shall invalidate a sign permit or require a nonconforming sign to conform to the provisions of this Chapter:

- (1) The removal of an existing sign from the premises.
- (2) An alteration in the structure of a sign support and/or a change in the mechanical facilities.
- (3) A change in the material of the sign, for example, from wood to plastic.

SECTION XXXV. – Amendment to Code.

The Code of Ordinances of East Coventry Township, Chester County, Pennsylvania, Chapter 27 (Zoning), Part 13 (General and Supplemental Regulations and Design Standards),

Section 1315 (Home Occupations), Subsection A (Home Occupation) is hereby amended to add a new Paragraph (15) as follows:

(15) The term “home occupation” shall not include a day care center.

SECTION XXXVI. – Amendment to Code.

The Code of Ordinances of East Coventry Township, Chester County, Pennsylvania, Chapter 27 (Zoning), Part 13 (General and Supplemental Regulations and Design Standards), Section 1325 (Keeping of Domestic Animals) is hereby amended to delete said section in its entirety and to add a new Section 1325 in its place, as follows:

§1325. Keeping of Domestic Animals.

1. The keeping, raising or boarding of horses, cattle, llamas, mules and other similar large animals for domestic purposes, including a barn or stable (See §1319(B)(1)) for same, shall require a minimum lot area of not less than two (2) acres regardless of the zoning district in which said property is located. The two-acre requirement shall be applicable for two (2) such large animals and for each additional large animal kept on the lot, parcel or premises, one (1) additional acre of lot area shall be required. For sheep, goats and other similar-sized animals, a minimum lot area of not less than two (2) acres shall be required for two (2) such animals and for each two (2) additional such animals kept on the lot, one (1) additional acre of lot area shall be required. The above requirements shall be enforced regardless of whether the animals are kept for domestic purposes or for the temporary boarding of animals for other parties.

2. The keeping, raising or boarding of fowl, including without limitation, chickens, ducks, guinea fowl, pheasants and quail, for domestic purposes shall require a minimum lot area of not less than one (1) acre regardless of the zoning district in which said property is located. In no event shall more than ten (10) such fowl be permitted on each one-acre area of land; provided, however, that no more than five (5) turkeys shall be permitted on each one-acre area of land. Chickens and other fowl shall not be permitted to run freely on any lot and must be caged or kept in a run at all times. The structure, building, shelter or pen shall be constructed of such material and in such manner that it can be kept clean and sanitary. The enclosure shall satisfy the requirements for accessory structures set forth in Section 1319.B.(1) of this Chapter.

SECTION XXXVII. – Amendment to Code.

The Code of Ordinances of East Coventry Township, Chester County, Pennsylvania, Chapter 27 (Zoning), Part 13 (General and Supplemental Regulations and Design Standards),

Section 1331 (Storage of Vehicles and Junk) is hereby amended to delete said section in its entirety.

The Code of Ordinances of East Coventry Township, Chester County, Pennsylvania, Chapter 27 (Zoning), Part 13 (General and Supplemental Regulations and Design Standards) is hereby amended to add a new Section 1331 as follows:

§1331. Storage of Vehicles and Junk. The exterior storage of more than one (1) automotive vehicle or truck is prohibited in all zoning districts; provided, however, that such vehicle or truck shall be covered when not in use. The exterior of any property shall be maintained in a clean, safe and sanitary condition, and free from the accumulation of rubbish, garbage or junk in all zoning districts. Junkyards or the exterior storage of materials that comprise a junkyard shall be prohibited in all zoning districts.

SECTION XXXVIII. – Amendment to Code.

The Code of Ordinances of East Coventry Township, Chester County, Pennsylvania, Chapter 27 (Zoning), Part 14 (Conditional Use Process), Section 1402 (Additional Requirements for Specified Conditional Uses), Subsection F (Conditional Use Development Plan) is hereby amended to delete the existing title for said Subsection F and to add a new title for Subsection F in its place as follows: “Conditional Use Development and Landscape Plans.”

The Code of Ordinances of East Coventry Township, Chester County, Pennsylvania, Chapter 27 (Zoning), Part 14 (Conditional Use Process), Section 1402 (Additional Requirements for Specified Conditional Uses), Subsection F (Conditional Use Development and Landscape Plans) is hereby amended to renumber the existing text in said subsection as new Paragraph (1).

The Code of Ordinances of East Coventry Township, Chester County, Pennsylvania, Chapter 27 (Zoning), Part 14 (Conditional Use Process), Section 1402 (Additional Requirements for Specified Conditional Uses), Subsection F (Conditional Use Development and Landscape Plans) is hereby amended to add a new Paragraph (2) as follows:

(2) If required by §428 of the Subdivision and Land Development Ordinance [Chapter 22], a landscape plan that satisfies the criteria set forth in §1310 of this Chapter.

SECTION XXXIX. – Amendment to Code.

The Code of Ordinances of East Coventry Township, Chester County, Pennsylvania, Chapter 27 (Zoning), Part 15 (Zoning Hearing Board), Section 1506 (Appeals and Applications to the Zoning Hearing Board), Subsection B (Application for Special Exception or Variance), is hereby amended to add a new Paragraph (6) as follows:

(2) A landscape plan that satisfies the criteria set forth in §1310 of this Chapter if required by §428 of the Subdivision and Land Development Ordinance [Chapter 22].

SECTION XL. – Severability.

The provisions of this Ordinance are severable, and if any section, sentence, clause, part or provision hereof shall be held illegal, invalid or unconstitutional by any court of competent jurisdiction, such decision of the court shall not affect or impair the remaining sections, sentences, clauses, parts or provisions of this Ordinance. It is hereby declared to be the intent of the Board that this Ordinance would have been adopted even if such illegal, invalid or unconstitutional section, sentence, clause, part or provision had not been included herein.

SECTION XLI. – Failure to Enforce not a Waiver.

The failure of the Township to enforce any provision of this Ordinance shall not constitute a waiver by the Township of its rights of future enforcement hereunder.

SECTION XLII. – Effective Date.

This Ordinance shall take effect and be in force from and after its approval as required by the Second Class Township Code.

SECTION XLIII. – Repealer.

All other ordinances and resolutions or parts thereof insofar as they are inconsistent with this Ordinance are hereby repealed.

ORDAINED AND ENACTED by the Board of Supervisors of East Coventry Township, Chester County, Pennsylvania, this ____ day of _____, 2015.

EAST COVENTRY TOWNSHIP

By:

Attest:

Ray A. Kolb, Chairman

Bernard A. Rodgers, Secretary

NOTICE

NOTICE is hereby given that the Board of Supervisors of the Township of East Coventry, at its public meeting on _____, 2015 in the Township Building, 855 Ellis Woods Road, Pottstown, Pennsylvania, will hold a public hearing on and could vote to adopt An Ordinance Amending The Code Of Ordinances Of The Township Of East Coventry, Chester County, Pennsylvania, To Amend Chapter 21 (Streets And Sidewalks), Part 3 (Standard Construction And Material Specifications For Public Improvements), Exhibit 21-3-A (Standard Construction And Material Specifications For Public Improvements), Section 6 (Bicycle And Multi-Purpose Paths), To Delete Subsection 6.1 (Materials); To Amend Chapter 22 (Subdivision And Land Development), Part 2 (Definitions), Section 202 (Definitions) To Revise The Definitions Of “Lot Area, Net”, “Recreation, Active”, “Slope”, “Steep Slope”, “Steep Slope, Precautionary”, “Steep Slope, Prohibitive”, “Stormwater Management Basin Easement” And “Stormwater Management Ordinances”; To Amend Part 3 (Plan Processing And Content), Section 304 (Preliminary Plan Submission, Resubmission, Review And Content), Subsection 3 (Content), Paragraph E, Subparagraph (19) To Add Recycling; To Amend Part 4 (Development Design Standards), Section 426 (Park, Recreation And Open Space), Subsection 3 (Park, Recreation And Open Space Design Standards), Paragraph B To Change The Average Slope Maximum From Three Percent (3%) To Five Percent (5%); To Amend Section 427 (Outdoor Lighting Requirements And Standards), Subsection 4 (Outdoor Lighting Design Standards And Illumination Standards), Paragraph B To Change 0.4 Minimum Footcandles To 0.4 Average Footcandles For Local Residential Streets And Paragraph E To Eliminate Standards Not Meeting IESNA “Full Cutoff” Criteria; And To Amend Subsection 5 (Control Of Nuisance Glare And Disabling Glare), Paragraph G To Eliminate Standards Not Meeting IESNA “Full Cutoff” Criteria; To Amend Section 429 (Natural And Historic Resources Protection), Subsection 2

(Trails), Paragraph D, Subparagraph 2 (Community Trail), Clause (c) To Modify Certain Base And Course Specifications And Clause (D) To Increase The Maximum Longitudinal Slope From Five Percent (5%) To Eight Percent (8%); To Amend Chapter 27 (Zoning), Part 2 (Definitions), Section 202 (Definitions) To Delete The Definitions For “Major Home Occupation”, “Minor Home Occupation” And “Open Space, Recreation And Environmental Resources Plan”, To Revise The Definitions Of “Barn”, “Day Care Center”, “Dwelling Types”, “Garage”, “Home Occupation”, “Lot Area, Net”, “Parking Lot”, “Recreation, Active”, “Slope”, “Steep Slope”, “Steep Slope, Precautionary”, “Steep Slope, Prohibitive” And “Yard, Side”, And To Add Definitions For “Day Care Home” And “Parks, Recreation, And Open Space Plan”; To Amend Chapter 27 (Zoning), Part 7 (R-2 Residential District), Section 704 (Clustered Single-Family Detached Residential Development Standards), Subsection B (Density, Area, Bulk And Dimensional Standards) To Add A New Paragraph (10) On The Calculation Of Open Space; To Amend Part 8 (R-3 Residential District), Section 803 (Area, Bulk And Dimensional Standards), Subsection 2 (Two-Family Detached, Two-Family Semi-Detached, Single-Family Semi-Detached, Single-Family Attached, Two-Family Attached And Garden Apartment Residential Uses), Paragraph B (Minimum Net Lot Area, Lot Width And Yards) To Change The Reference From Units To Lots In The Lot Dimensions Table; To Amend Section 804 (Clustered Single-Family Detached Residential Development Standards), Subsection B (Open Space, Density, Area, Bulk And Dimensional Standards) To Add A New Paragraph (10) On The Calculation Of Open Space; To Amend Part 9 (NC Neighborhood Commercial District And C Commercial District), Section 902 (Use Regulations), Subsection 1 (NC Neighborhood Commercial District Uses Permitted By Right), Paragraph C, And Subsection 2 (NC Neighborhood Commercial District Conditional Uses), Paragraph C To Permit Outdoor Food And Beverages As Of Right In The NC Neighborhood Commercial District Provided Outdoor Seating Does Not Exceed 25% Of

Total Seating Capacity And Does Not Involve Outdoor Counter, Curb Or Drive-Thru Services, And To Permit Outdoor Counter, Curb And Drive-Thru Services In The NC Neighborhood Commercial District By Special Exception; To Amend Subsection 4 (C Commercial District Uses Permitted By Right) And Subsection 5 (C Commercial District Conditional Uses) To Allow Uses Currently Requiring Conditional Use Approval In Subsection 5 To Instead Be Uses Permitted By Right Under Subsection 4 and to Allow Uses of a Similar Type and Character as a Special Exception; To Amend Part 13 (General And Supplemental Regulations And Design Standards), Section 1306 (Parking Standards), Subsection A (Location), Paragraph (2) To Add Two-Family Attached Dwellings; To Amend And Restate Section 1314 (Sign Regulations) Subsection 19 (Nonconforming Signs) In Its Entirety; To Amend Section 1315 (Home Occupations), Subsection A (Home Occupation) To Add A New Paragraph (15) To Exclude Day Care Centers; To Amend And Restate Section 1325 (Keeping Of Domestic Animals) To Reduce The Acreage Requirements and Increase The Number Of Animals That May Be Kept On A Lot; To Amend Section 1331 (Storage Of Vehicles And Junk) To Prohibit Exterior Storage Of More Than One Vehicle And Accumulation Of Junk In All Zoning Districts; To Amend Part 14 (Conditional Use Process), Section 1402 (Additional Requirements For Specified Conditional Uses), Subsection F (Conditional Use Development Plan) To Require Landscape Plans Be Submitted With Some Conditional Use Applications; To Amend Part 15 (Zoning Hearing Board), Section 1506 (Appeals And Applications To The Zoning Hearing Board), Subsection B (Application For Special Exception Or Variance), To Require Landscape Plans Be Submitted With Some Applications; And To Correct Various Numerical References.

Copies of the full text of the proposed ordinance are available for examination during normal business hours without charge at the offices of *The Pottstown Mercury*, 24 North Hanover Street, Pottstown, Pennsylvania 19464, the Chester County Law Library, 201 West

Market Street, Suite 2400, West Chester, Pennsylvania 19380-0989 and the East Coventry Township Building, 855 Ellis Woods Road, Pottstown, Pennsylvania 19465, where a copy of the proposed ordinance may be obtained for a charge not greater than the cost thereof.

**MARK A. HOSTERMAN, ESQUIRE
WISLER PEARLSTINE, LLP**